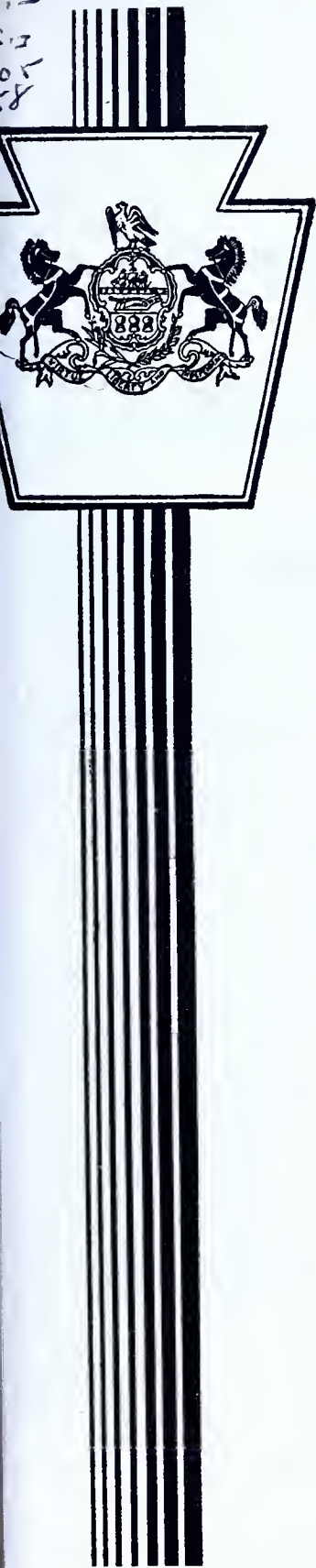


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The Beauty Culture Law
AND
Rules and Regulations
FOR ITS
Administration

BULLETIN 605

(Revised 1958)

Commonwealth of Pennsylvania
DEPARTMENT OF PUBLIC INSTRUCTION

Bureau of Professional Licensing
State Board of Cosmetology
Harrisburg

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HARRISBURG

CHARLES H. BOEHM.....Superintendent of Public Instruction
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BEAUTY CULTURE LAW

The Pennsylvania Beauty Culture Law was enacted in 1933 and its administration was made a function of the Department of Public Instruction. The 1949 General Assembly enacted legislation providing for a State Board of Cosmetology as an administrative agency in the Department and authorized the Board to administer the Beauty Culture Law. Section 11 of the Beauty Culture Law, as amended, reads as follows:

The Board shall prescribe reasonable rules for its conduct, and for the qualifications, registration, and examination of applicants to practice or teach beauty culture, and for the registration of apprentices, teachers, students, and managers of beauty shops or schools of beauty culture, and for temporary licenses to be issued by the department, and generally for the conduct of persons, copartnerships, associations, or corporations affected by this act. Rules established by the Board shall be printed and supplied to applicants and license holders.

In accordance with the authority as above set forth, the State Board of Cosmetology has adopted the rules and regulations herein contained.

A copy of the Beauty Culture Law as amended to date is also included in this bulletin.

Charles H. Boehm

Superintendent of Public Instruction

July, 1958

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THE BEAUTY CULTURE LAW

(Act of Pennsylvania General Assembly, May 3, 1933, P. L. 242, as last amended by Act 578, approved January 14, 1952)

Section 1. Definitions

The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

“Beauty Culture” includes any or all work done for compensation by any person, which work is generally and usually performed by hairdressers, cosmetologists, cosmeticians, beauticians or beauty culturists, and however denominated, which work is for the embellishment, cleanliness, and beautification of the woman’s hair, such as arranging, dressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, pressing, or similar work thereon and thereabout, and the removal of superfluous hair, and the massaging, cleansing, stimulating, manipulating, exercising, or similar work upon the scalp, face, arms, or hands, or the upper part of the body, by the use of mechanical or electrical apparatus or appliances or cosmetics, preparations, tonics, antiseptics, creams or lotions, or by any other means, and of manicuring the nails, which enumerated practices shall be inclusive of the term beauty culture but not in limitation thereof.

“Department” means the Department of Public Instruction of this Commonwealth.

“Board” means the State Board of Cosmetology.

Section 2. Practice of Beauty Culture Without Registration Prohibited

It shall be unlawful for any person to practice or teach beauty culture, or manage a beauty shop, or to use or maintain any place for the practice or teaching of beauty culture, for compensation, unless he or she shall have first obtained from the department a certificate of registration as provided in this act. Nothing contained in this act, however, shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

Section 3. Requirements to Practice

Before any person may practice or teach beauty culture or manage a beauty shop, such person shall file with the board a written application for registration, accompanied by a health certificate issued by a registered licensed physician of Pennsylvania, under oath, on a form which shall be prescribed and supplied by the board, and shall deposit with the department the registration fee, and pass an examination to be given by the board as to fitness to practice or teach beauty culture or manage a beauty shop, as hereinafter provided in this act.

Section 4. Eligibility Requirements for Examination

No person shall be permitted by the board to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training, as hereinafter provided in this act, in a beauty school duly registered, or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this act: Provided, however, That the board may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish, to the satisfaction of the board, that he or she has been an operator in the active practice of beauty culture for at least twenty-four months prior to the date of filing an application for admission to an examination. No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age, and has had at least eighteen months' experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator.

Section 5. Manicuring

A limited certificate of registration to manicure the nails only may be applied for and granted under all of the terms and conditions of this act, except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month.

Section 6. Requirements of a School of Beauty Culture

No school of beauty culture shall be granted a certificate of registration unless it shall attach to its staff, as a consultant, a person licensed by this Commonwealth to practice medicine, and employ and maintain a sufficient number of competent teachers, registered

as such, and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum, shall keep a daily record of the attendance of each student, shall maintain regular class and instruction hours, shall establish grades and hold examinations before issuance of diplomas, and shall require a day school term of training of not less than *one thousand hours within a period of not less than six consecutive months* or a night school term of training for a period of not less than twelve consecutive months for a complete course, comprising all or a majority of the practices of cosmetology, as provided by this act, and to include practical demonstrations and theoretical studies, and study in sanitation, sterilization, and the use of antiseptics, cosmetics, and electrical appliances consistent with the practical and theoretical requirements as applicable to beauty culture or any practice thereof. In no case shall there be less than one teacher to each twenty-five pupils.

Note—Act of July 1, 1937, P. L. 2560, made it necessary after July 1, 1938, to obtain from public school officials permission for pupils under seventeen years of age to be exempt from attendance at regular public or private schools.

Section 7. Student Practice Upon the Public for Pay Prohibited

It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student. No school of beauty culture shall, directly or indirectly, charge any money whatsoever for treatment by its students or for materials used in such treatment.

Section 8. Practice in Beauty Shops Only

It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop: Provided, That a registered operator may furnish beauty culture treatments to persons in residences of such persons by appointment.

Section 9. Exceptions to Examination Requirements; Present Students and Apprentices

Any person who has practiced or taught beauty culture or acted as manager of a beauty shop or school of beauty culture, under a certificate, license, or permit, for not less than two years in another state, territory, or District of Columbia, or any person who has done so in this Commonwealth for at least six months next preceding the effective

date of this act and is thus engaged in this Commonwealth at the time this act goes into effect, may secure the certificate of registration required by this act without an examination or compliance with other requirements as to age or education, provided such person shall make application to the department for registration within ninety days after the effective date of this act. Such application shall be accompanied by an affidavit of a practicing physician that the applicant was examined and is free from all contagious and infectious diseases, and the registration fee required by this act. Any person studying beauty culture in a school of beauty culture or as an apprentice in a beauty shop in this Commonwealth at the time this act goes into effect shall receive credit for such time and studies without complying with the requirements of this act as to age and preliminary education, provided such person shall make application to the department for registration as a student or apprentice within three months after this act goes into effect. Students, upon graduating from registered schools of beauty culture, may apply for, and receive from the department, a temporary permit to practice as an operator until the next regular examination held by the department under the provisions of this act.

Section 10. Apprentices in Beauty Shops

Any cosmetologist, hairdresser, or cosmetician, who is a beauty shop owner, and who is a holder of a teacher's certificate, may instruct apprentices, provided that there shall be no less than two licensed operators for each apprentice in any shop, and provided such shop is not held out as a school of beauty culture. Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the board, and, if successful therein, shall be registered as operators. Registered apprentices, upon completion of their required term of apprenticeship, may apply for, and receive from the department, a temporary permit to practice as an operator until the next regular examination.

Section 11. Rules by Board

The board shall prescribe reasonable rules for its conduct, and for the qualifications, registration, and examination of applicants to practice or teach beauty culture, and for the registration of apprentices, teachers, students, and managers of beauty shops or schools of beauty culture; and for temporary licenses to be issued by the department, and generally for the conduct of persons, copartnerships, associations or corporations affected by this act. Rules established by the board shall be printed and supplied to applicants and license holders

Section 12. Examinations; Issuance of Certificates of Registration

If the board finds that the applicant has submitted the credentials required by this act for admission to examination, and has paid the registration fee required by this act, the board shall admit such applicant to examination and the department shall issue a certificate of registration to practice as operator, manager, or teacher as the case may be to those successfully passing the required examinations: Provided, That if the applicant fails to pass the examination he or she may be eligible to take the next examination without any additional fee. Every certificate of registration issued by the department shall have attached securely thereto a photograph of the person to whom the same is issued, and where a certificate is issued in the name of a corporation it shall have attached thereto the photograph of the manager hereof. Such photographs shall be furnished by the applicant for registration and shall be of such size as the board may require. The board shall hold public examinations on the third Tuesday in January, April, July, and October in the cities of Philadelphia, Pittsburgh, Wilkes-Barre, Harrisburg, and Erie, at such hours as it shall prescribe. The examination for teachers' and managers' licenses shall differ from the examination for operators' licenses in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of beauty culture, including ability to teach properly the various practices and theories of beauty culture.

Section 13. Powers and Duties of Board

The board shall have the power to refuse, revoke, or suspend licenses or certificates, upon due hearing, on proof of violation of any provisions of this act, or the rules and regulations established by the board under this act, or for gross incompetency or dishonest or unethical practices, or for performing beauty culture work on Sunday, with the exception of educational programs by licensed members of the profession to be conducted for educational purposes only, no fees to be charged by the demonstrator or participant, and shall have the power to require the attendance of witnesses and the production of such books, records, and papers as may be necessary. Before any certificate shall be suspended or revoked for any of the reasons contained in this section, the holder thereof shall have notice in writing of the charge or charges against him or her and shall, at a day specified in said notice which shall be at least five days after the service thereof, be given a public hearing before a duly authorized representative of the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her. Any person whose certificate of registration has been so suspended or revoked may on application to the board, have the same reissued to him or her, upon satisfactory proof that the disqualification has ceased. Before the board may institute any of the above proceedings, it shall send a notice in writing to the certificate holder of any alleged viola-

tion of this act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated.

Section 14. Sanitary Rules

The board shall prescribe such sanitary rules as it may deem necessary, with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases; and it shall be unlawful for the owner or manager of any beauty shop or school of beauty culture to permit any person to sleep in or use for residential purposes any room used wholly or in part as a beauty shop or school of beauty culture.

Section 15. Appeals

An appeal may be taken from any actions of the board or department to the court of common pleas of Dauphin County. The judgment of the common pleas court may be reviewed by the Superior Court on appeal.

Section 16. Fees

The registration fee for the issuance of a license, with or without examination, shall be as follows: Five dollars (\$5.00) for beauty shop owners, managers, and teachers; two dollars (\$2.00) for operators and manicurists; one dollar (\$1.00) for students or apprentices; and fifty dollars (\$50.00) for schools of beauty culture. Annual renewal fees shall be five dollars (\$5.00) for shop owners and managers and school instructors; two dollars (\$2.00) for operators and manicurists; and twenty-five dollars (\$25.00) for schools of beauty culture. The above fees for registration, examination, and certificate shall be paid in advance to the department, and by it paid into the State Treasury through the Department of Revenue. In case a beauty shop owner changes the location of his or her shop a new license must be secured. No additional registration fees shall be required for such new license.

Section 17. To Whom Provisions in This Act Shall Not Apply

Nothing in this act shall prohibit service in case of emergency or domestic administration without compensation, nor service by persons authorized under the laws of this State to practice medicine, surgery, dentistry, chiropody, osteopathy, or chiropractic, nor services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation. Nothing in this act is intended to be inconsistent with the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred eighty-nine), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to

engage in the occupation of barbering; regulating barber shops, barber schools and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties."

Section 18. Display of Certificates

Every holder of a certificate granted by the said department, as provided in this act, shall display it in a conspicuous place in his or her principal office, place of business, or employment.

Section 19. Duration and Renewal of Certificates of Registration

The certificates of registration issued in the year in which this act goes into effect shall expire as of December thirty-first,* one thousand nine hundred and thirty-four. Thereafter certificates shall be issued for no longer than one year. All certificates shall expire on the thirty-first day of December next succeeding unless renewed for the next year. Certificates may be renewed by application made prior to the thirty-first day of December of each year, and the payment of the renewal fees provided in this act.

* Annual expiration date changed to January 31 by authority granted by Act of May 25, 1937, P. L. 800.

Section 20. Penalties

(a) Any person who shall practice or teach beauty culture, or act in any capacity wherein registration is required, without complying with this act, shall upon conviction, in a summary proceeding, be sentenced to pay a fine not exceeding fifty dollars (\$50.00) and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days.

(b) Any operator, manager, teacher, student or apprentice who shall practice the occupation of beauty culture while knowingly suffering from contagious or infectious disease, or who shall knowingly serve any person afflicted with such disease, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00), or undergo an imprisonment not exceeding thirty (30) days, or both, at the discretion of the court.

(c) Any operator, manager, teacher, student or apprentice who shall infect any person, or who shall impart any contagious or infectious disease, by reason of carelessness or negligence in the practice of such occupation, shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to undergo an imprisonment not exceeding six months, or both, at the discretion of the court.

(d) All fines and penalties shall be paid to the department and by it paid into the State Treasury through the Department of Revenue.

Section 21. Effect of Partial Invalidity of Act

Each section of this act, and every part of each section, is hereby declared to be independent of every other, and the holding of any section, or part thereof, to be void or ineffective for any cause shall not be deemed to affect any other section, or part thereof.

Section 22. Effective Date

This act shall become effective on the first day of January, one thousand nine hundred and thirty-four.

Section 23. Repeal

All acts or parts of acts inconsistent with this act are hereby repealed.

RULES and REGULATIONS
OF THE
STATE BOARD OF COSMETOLOGY
FOR THE
ADMINISTRATION OF THE BEAUTY
CULTURE LAW

I. Licenses

Any individual holding a Teacher's License shall, without further licensure, be deemed qualified to perform any of the functions of a teacher, a manager, an operator, or a manicurist.

Any individual holding a Manager's License shall, without further licensure, be deemed qualified to perform the duties of a shop manager, an operator, or a manicurist.

Any holder of an Operator's License shall, without further licensure, be deemed qualified to perform any of the functions or render any of the services of a beauty culture operator, including manicuring.

A Manicurist's License limits the holder to the performance of manicuring service only, which includes similar service to the nails of the toes.

Shop and school licenses are valid only for the location named in the license, and are not transferable. Owners shall immediately notify the Board in writing of the sale or transfer or change in ownership of a shop or school.

Licensees shall immediately notify the Board as to a lost or misplaced license. An affidavit must be submitted to verify the loss or misplacement of a license.

All registrations and licenses expire on January 31 and may be renewed by application on proper form made prior to that date and by payment of renewal fee.

A copy of the rules and regulations furnished by the Board shall be kept in each establishment at all times. Each licensed operator shall have his or her copy of these rules and regulations available at all times at his or her place of employment.

Temporary Licenses

Upon payment of the required fee, a temporary license may be issued to an applicant who is eligible for admission to a beauty culture operator's examination or a manicurist's examination. On the basis of such licenses, applicants shall practice only under the supervision of licensed teacher, manager, or operator until the time of the next scheduled examination.

If the applicant fails either the practical or written portion of this examination, a temporary license may be extended until the results of the next succeeding examination are available without the payment of an additional fee. No temporary license shall be extended when an applicant fails both portions of the examination.

If the applicant fails both portions of the examination, he or she may be admitted to the next succeeding examination without the payment of an additional fee. Admission to any future examination, however, shall necessitate payment of the required fee. No more than one extension of a temporary license shall be granted to any applicant.

If such applicant does not repeat, within a period of one year, that portion of the examination in which he or she failed, the applicant shall be required to repeat the examination in its entirety.

II. Examinations

Admission to a manicurist's examination requires a term of preparation in a registered school of beauty culture of at least 125 hours of instruction in manicuring, covering a period of not less than one month.

Applications for admission to any examination shall be properly completed and on file with the Board on or before the fifteenth day of the month preceding the month in which such examination is held. Proper completion of the application includes payment of fee; affidavit certifying completion of the required number of hours in beauty schools or the completion of term of required apprenticeship; physician's certificate; signed photographs; and admission card.

All candidates for teacher's, manager's, operator's, or manicurist's examinations shall take all portions of the respective examination in order to qualify. Exceptions are made for men scheduled for operator's examination who need not perform facials or manicuring.

Interpreters shall not be provided for examinations.

III. Shop Owner's Requirements for Certification

- A. Satisfactory evidence that the applicant for the license is of good moral character and has a proper business status in the community.
- B. Proper location of the shop.
- C. Proper layout and equipment for the shop.
- D. Sanitary conditions in the shop and its immediate surroundings.
- E. Provisions for adequate number of properly prepared and licensed workers.
- F. Space set apart to be used as a beauty shop shall not be used for any other purpose.
- G. Every shop shall be at all times in charge of and under the immediate supervision of a duly licensed teacher or manager.
- H. Every establishment shall display at or near its main entrance a sign, clearly visible from the outside, indicating that it is a beauty culture shop.
- I. Every establishment shall provide a suitable place properly equipped to give adequate service to patrons, and subject to inspection at reasonable hours by the investigators of the Law Enforcement Division of the Department for the Board. Before an establishment can be termed a suitable place, it shall conform to all legal requirements for such an establishment as prescribed by the laws of the Commonwealth of Pennsylvania and the municipality in which the establishment is located.

An owner properly licensed as an operator may manage his own shop if he operates therein exclusively; otherwise it is necessary to employ a licensed manager. He must, however, be able to prove that he is the real owner, that he possesses title to the shop, and that its effects are in his name. Trade names, or fictitious names, shall be registered with the Department of State before a license will be issued.

IV. Shop Manager's Responsibilities

The primary function of a shop manager shall be the administration of the business and personnel affairs of the shop and the enforcement within the shop of all laws and rules and regulations promulgated by the Board. In this connection, it shall be of primary importance for managers to give especial

attention to all sanitary requirements, for the breach of which the manager, together with the violator, shall be liable if he fails to correct the conditions or to report the same to the Board after trying to accomplish a correction.

The manager of a shop shall not be permitted to serve as a teacher in any school.

V. Sanitation in a Beauty Shop or School of Beauty Culture

Every shop or school, together with all furniture, equipment, tools, utensils, floors, walls and ceilings, shall be kept at all times in a clean and sanitary condition, well lighted and ventilated. Partitions of booths shall be of such height as to permit free circulation of air. Each shop shall be provided with running hot and cold water, adequate plumbing fixtures and adequate toilet facilities, readily accessible, and kept in a sanitary condition. Electrical appliances must be installed properly and grounded.

Anyone having an infectious or contagious disease shall not practice in any establishment. No work shall be performed on any patron having a visible disease, unless the patron shall produce a certificate from a practicing physician, stating that such patron is free from infectious, contagious, or communicable disease. A Beauty Culture License does not authorize an individual to treat or prescribe for any infectious or contagious disease.

No patron shall be permitted to leave an establishment after receiving service unless her hair is reasonably well dried. During a permanent wave operation, the operator shall not leave the patron during the heating period. The use of cloth or paper bags on dryers is prohibited.

Persons practicing or teaching beauty culture, as well as students attending beauty schools, shall be attired in washable uniforms which shall be kept in a clean condition, and shall wear clean white shoes. Teacher uniforms shall be such as to distinguish teachers from students. Operators or manicurists shall not carry combs or instruments in their pockets.

Every person employed in a beauty establishment shall thoroughly cleanse his or her hands with soap and water immediately before and after serving each patron. Clean towels shall be provided for wiping the operator's hands. Bowls, basins, shampoo boards, cups, and other containers shall be thoroughly cleaned with soap and water after using; and shall be rinsed, dried, and kept clean, and free from dust. Headrest covers shall be changed after each service.

Linens, towels, and uniforms shall be kept in a closed dust-proof container. Soiled linens shall be kept in separate closed containers. Covered containers shall be provided for waste tissues, cotton, lotions, creams and other waste materials. Combs and brushes shall be thoroughly disinfected each time they are used. Use of a common powder puff, sponge, neck-duster, styptic pencil, drinking cup or glass, is prohibited. Any article or material which is used on more than one patron shall be kept from direct contact with the patron by the use of an individual paper neck band or clean towel. Use of the same neck band on more than one person is prohibited. A clean towel shall be provided at the neckrest of each patron. Towels shall not be used for more than one operation. Towels not sent to a steam laundry shall be washed, boiled in water for 20 minutes, dried, and ironed. Laundry work in a shop is prohibited. Drying of towels on lines or radiators in shops is prohibited. Dipping used towels into a hot water receptacle and using same on patrons is prohibited.

Permanent wave pads, strips, or flannels, shall not be used more than once. Finger waving fluid shall be used from a type of container that will prevent contamination of the unused solution, and fluid used on one patron shall not be used again. Styptics shall be used only in liquid or powder form and applied by means of clean gauze or cotton. Creams and other semisolid substances shall be dipped from the container with a sterile spatula or similar article. Removing such substances with the fingers is prohibited. The article used for removal of such substances shall not be permitted to come in contact with the skin of the patron. Any article dropped on the floor or otherwise rendered unsanitary shall not be used until it is sterilized.

A patch test shall always be performed before using a hair dye or tint. The test shall be made on a skin area either behind the ear or on the forearm. If no swelling, itching, redness, or other reaction occurs after twenty-four hours, the operator may proceed with the dyeing or tinting process.

All instruments used in any type of beauty culture service shall be cleaned with soap and water and sterilized.

All methods of sterilization that are certified by a recognized authority as being bacteriologically effective will be permitted. Sterilized instruments, when not in use, shall be kept in a cabinet sterilizer. Manicurists shall always have available grain alcohol (approximately seventy per cent), or some other equally effective antiseptic to be used if the skin of a patron be broken during the manicure.

VI. Service by Appointment Regulations

No person shall practice or attempt to practice beauty culture for compensation directly or indirectly, in any place other than a registered beauty shop, except that any registered beautician in a registered beauty shop may furnish beauty culture service to persons at their place of residence or in institutions in cases of sickness, incapacitation, confinement, and other emergencies.

Operators now or heretofore operating, as well as all others contemplating operation outside a licensed shop, shall comply with the following requirements:

- A. They shall prove to the Board that they are duly sponsored by a licensed shop in good standing and under competent management.
- B. The owner of the sponsoring shop shall fully supply and equip the operator who renders service outside the shop, or shall vouch for the adequacy of the supplies and equipment owned by the said operator.
- C. All appointments in residences where beauty culture service is rendered outside the shop shall be booked and recorded by the shop the operator represents.
- D. The number of operators-by-appointment that any shop may sponsor shall be limited to a number not in excess of the number remaining in service in the shop. In other words, the total number of operators for any one shop (operators-in-shop plus operators-by-appointment) shall not be more than twice the number of booths in the shop.
- E. The manager of any shop sponsoring any operators-by-appointment shall be prepared at all times to make immediately available to investigators of the Law Enforcement Division of the Department for the Board, a complete schedule of appointments.
- F. The manager shall be responsible for compliance with all sanitary regulations on the part of his or her operators-by-appointment.

VII. Schools of Beauty Culture

A. Requirements for Licensure

1. *Preliminary Inspection:* Before completing application for licensing, each proposed school shall be inspected by a representative of the Board, for the purpose of determining:
 - a. Suitability of proposed location.

- b. Suitability of proposed rooms—including plumbing, ventilation, lighting, and adequacy of floor space (basement rooms below ground level cannot be approved).
- c. Approval of proposed layout.
- d. Approval of proposed items of equipment.
- e. Satisfactory evidence of proper provisions for duly licensed teachers.

2. *Second Inspection:*

An inspection shall be made by a representative of the Board after the equipment has been installed, before the school is permitted to begin operation.

3. *Equipment Requirements:*

The minimum requirements for a school of beauty culture enrolling twenty-five students or less shall consist at least of the following items of equipment:

- 1 vibrator
- 4 shampoo basins with trays
- 10 mirrors and 10 chairs
- 8 blockheads
- 6 curling heaters (optional)
- 1 blackboard 4' x 4' or equivalent
- 1 linen cabinet
- 2 wet sterilizers 8" x 12"
- 4 dry sterilizers, lamp, or the equivalent
- 1 permanent wave machine
 - croquignole—2 complete sets of 32 each of rods, felts, spacers, and clamps
 - machineless—2 complete sets of 32 each of rods, clips, and felts
 - cold wave—4 sets each, consisting of 32 rods
- 8 sanitary receptacles
- 4 facial chairs
- 8 dryers
- 1 therapeutic lamp (installed in such manner as to permit free use of operator's hands)
- 1 tablet armchair or usable table and chair for each student in theory class
- 1 beauty culture textbook for each student (books of questions and answers are not considered textbooks)

In addition to the items of equipment listed above, the school shall have such supplies as wave set, shampoo creams, hair dyes, cloth towels, paper towels, etc., as are essential for instruction; manicuring tables with proper lighting; chairs for at least five students; available books on anatomy, physiology and hygiene; charts 24" x 36" or the equivalent on skin, bones, muscles, nerves, and the circulatory system.

The proper placement of this equipment shall require at least 1,000 square feet of floor space—excluding office, cloak room, and reception room space. In the event that the student enrollment of any school increases, additional space and equipment may be required by the Board.

The number of students taught in a school of beauty culture at any one time shall be limited to one for every fifteen square feet of space contained in said school, subject to the following limitations:

- (a) Space occupied by offices and lavatories shall not be counted in determining maximum number of students taught; and
- (b) Space allotted for teaching shall also include equipment.

4. *Student Equipment:*

- 1 shampoo cape
- 1 pair scissors
- 1 pair thinning shears (optional)
- 1 razor (optional)
- 2 brushes
- 6 combs (4 finger wave, 1 rattail, and 1 hair-cutting)
- 1 lb. hairpins (pin curl clips optional)
- 1 electric clipper (optional)
- Complete tools for manicuring—cuticle oil, cuticle remover, polish, emery boards, nipper scissors, pusher, and brush
- A carrying case of sufficient size to accommodate the materials used by the student

B. *Personnel Requirements*

1. *Owner:* No school shall be licensed until the Board has had ample opportunity to verify sworn statements as to the actual ownership, and all other claims and representations set forth in the application. The Board reserves the right to deny school licensure to any applicant who fails to present satisfactory evidence of his or her business, professional, or personal integrity.

No school license shall hereafter be issued until the real owner files a statement with the Board specifically designating the person who is authorized to accept service of legal notices and to transact all business negotiations in behalf of the school, including answers to citations for hearings and compliance in behalf of the school with rulings issued by the Board. This statement shall bear a facsimile signature of the individual so authorized.

2. *Supervision:* An owner may supervise his own school, provided the individual possesses the following qualifications:
 - a. Is the holder of a teacher's license for at least two years.
 - b. Has submitted a verified record of two years of satisfactory experience in teaching and in the practice of a majority of branches of beauty culture in an established school or place of business. Otherwise, he shall employ and place in charge of the actual operation of the school a responsible individual who possesses the above qualifications.

The school shall be, at all times, in charge of and under the immediate supervision of a duly licensed teacher.

The owner of a beauty school, in order to supervise his own school, shall have two years of teaching experience.

3. *Teachers:* Each school shall meet the following requirements pertaining to teachers:
 - a. Each school shall employ as instructors only licensed teachers competent to impart instruction in the branches of beauty culture which they teach.
 - b. No individual shall be counted as a regular, part-time, or substitute teacher in any school unless his or her teacher's certificate and his or her current renewal card are on display in said school.
 - c. Every school shall employ at least one full-time licensed teacher.
 - d. Each class taught for credit shall consist of not more than twenty-five (25) students per teacher.
 - e. No teacher in a school of beauty culture shall devote any portion of his or her time to work in a beauty shop while the school is in session.

- f. No manager of a beauty shop shall serve as a teacher in a school of beauty culture.
 - g. A certificate of registration of any teacher not employed in the school shall not be displayed in such school.
4. *Staff Physician:* Each school shall have attached to its staff a licensed and registered physician for consultation purposes.

C. Student Requirements

1. *Enrollment:* Whenever a student enrolls in any school of beauty culture, the school shall, on the day of said enrollment, transmit to the Board an Application for a student permit, together with the required fee of one dollar. No credit in hours shall be given a student for any period of time previous to the date of issuance of the permit (except for entrance credits as defined hereafter). No student permit is required for students who do not need to earn credit hours in order to be eligible for the State Examination.
2. *Transfer Credits:* A certificate of transfer shall be completed in all cases where a student wishes to leave a registered school of beauty culture and transfer to another registered school of beauty culture. The school in which the student has completed a portion of her course of training shall furnish the Board with a sworn statement upon an official blank of "Certificate of Transfer," setting forth the subjects and the number of hours of credit given in each, and such certification must be approved by the Board before the student may be enrolled in another school of beauty culture. All certificates of transfer shall be submitted to the Board in duplicate.
3. *Courses:* Day school students may earn no more than seven hours' credit per day, thirty-five hours per week when the school is operated on a five-day schedule. If a school is operated on a six-day schedule, day school students are permitted to earn forty hours' credit per week.

Night school students are permitted to earn four hours' credit per night—twenty hours per week when the school is operated five nights per week. If the school is not operated five nights per week, the student shall be given credit at the rate of four hours per night if actually earned, for each night the student attended.

A combination day and night school course is permitted where partial employment prevents students from functioning as either day school students or night school students. Such permission may be granted, provided that no student earns more than seven hours' credit per day—thirty-five hours per week when the school is operated five days per week. If the school is operated six days per week, the student may earn forty hours' credit per week.

On the monthly report of student hours, combination day and night school students shall be indicated by the letter "C."

Day school students, night school students, and combination day and night school students, shall complete one thousand (1,000) hours of instruction. Night school students shall spend a minimum of one year in the school in order to qualify for examination. Day school students and combination students shall spend at least six (6) months in the school.

4. *Entrance Credits and Transfers from Out-of-State Schools:* Whenever a student at the time of enrolling is entitled to credits previously earned in an out-of-state school, the beauty school enrolling such student shall submit to the Board a notarized transcript of credits in duplicate, completed by the school attended, listing the number of hours earned and the subjects pursued. The transcript shall be accompanied by a certification from the licensing authorities verifying that the school in which the work was pursued is a registered school in that state.

If and when the Board approves the entrance credits so certified, one copy of the transcript of credits shall be returned to the school. This copy shall be preserved for the permanent files.

No certification shall be approved for a student who has done his or her work outside the State unless the work has been pursued in a registered school of beauty culture.

5. *Attendance Reports:* Each school shall keep a daily record of the attendance of each student; a record devoted to the school's different practices; and shall establish grades and hold examinations before issuing diplomas. The standard forms for examinations provided or approved by the Board shall be used in each school.

Not later than the fifteenth day of each month each school shall submit to the Board a report of the hours attended by each student upon the form "Monthly Report of Student Hours," provided by the Board for this purpose. Such report shall include names and license numbers of teachers employed therein. A failure to comply with the requirement promptly may debar students from examination.

Time spent as an apprentice in a shop and as a student in a school shall not be combined to meet the one-thousand hour requirement for examination.

D. General Requirements

1. *Manicuring:* Licensed manicurists desiring to pursue additional hours to be eligible for operators' examination may be credited with 125 hours, which may be applied to the number of hours required for the operator's course.
2. *Display of Sign:* Each school shall display in a conspicuous place in and about the entrance of said school a sign in display lettering at least one inch in height as follows: "All Work in This School Done by Students Only," and unless this sign also carries the words "Charges for Materials Only," other signs bearing these words shall be conspicuously posted.
3. *Advertising:* Each school or shop shall advertise only under the designation of a school or shop. A school or shop shall not be so designated in any form of advertising as to mislead the public.

All beauty culture schools shall follow the practice of good ethics and refrain from price advertising.

Every beauty culture school shall display at its main entrance a sign clearly visible at all times indicating that it is a beauty culture school.

4. *Authorized Signature:* A registered school of beauty culture shall supply the Board with a facsimile signature on white paper of the individual or individuals authorized by the owner of the said school to sign all official certifications.
5. *Duty Work:* All hours credited to a student shall be devoted to the study of beauty culture. Therefore, duty work shall not exceed a period of more than twenty (20) minutes per day of the students' instruction time. Duty work shall consist only of the tidying and cleaning naturally performed by an operator about her own booth at the conclusion of any beauty process. It shall not include menial work of a nature ordinarily performed by a maid, porter, or janitor.

6. *Curriculum*: Each school shall be required to have readily available at all times a complete file of all curriculum suggestions and requirements which have been issued by the Board until superseded by later issues. All curriculum requirements set up by the Board shall be strictly complied with until rescinded or revised. It is expected that each school will supplement and enrich the minimum requirements specified by the Board.
7. *Safety Precautions*: Those in charge of the school shall at all times be very vigilant in preventing accidents as well as infections. They shall, therefore, observe with special diligence the following precautions:
 - a. All electrical appliances shall be properly installed and grounded.
 - b. During permanent wave operation, the teacher shall never leave the student and the patron during the heating period. After the student has given her fifth permanent wave she may be left alone, provided the teacher remains within calling distance.
 - c. Cloth or paper bags shall never be used on dryers.
 - d. Adhere strictly, at all times, to rigid requirements for sanitation and sterilization.
 - e. Never treat or prescribe for any infectious or contagious disease of the skin.
8. *Service and inspection*: Every school shall provide a suitable place properly equipped to give adequate instruction to students and subject to inspection at reasonable hours by the representatives of the Board.

Before an establishment can be termed a suitable place, it shall conform to all legal requirements for such an establishment as prescribed by the laws of the Commonwealth of Pennsylvania and the municipality in which the establishment is located.

9. *Beauty Baths*: Beauty baths and reducing treatments shall not be included in the curriculum of beauty culture schools and shall not be given in beauty shops.

Note: The State Board of Medical Education and Licensure at its meeting held December 2 and 3, 1937, passed the following resolution relative to the use of Beauty Blankets in beauty parlors:

"That it is the opinion of the Board that the general use of so-called Beauty Blankets, which is in effect a method of Diaphoresis, as used in Beauty Parlors, may be done legally only by a licensed physician or a licensed physiotherapist."

10. *Demonstrations*: Any individual engaged in giving demonstrations of any beauty culture service shall be required to have an operator's license if the demonstrations are made in shops, before public gatherings, or to those who are already holders of beauty culture licenses.

Any individual engaged in giving demonstrations of any beauty culture service in any of the schools of this State shall be required to have a teacher's license.

Demonstration shall be construed to mean an exhibition of skill without an attempt to teach the methods used by the demonstrator.

VIII. Preparation by Apprenticeship Method

Section 10 of the Beauty Culture Act sets up the requirements which shall be met in preparation for Beauty Culture by the apprenticeship method. In addition to the requirements enumerated in that Section of the Act, any one who employs the apprenticeship method of preparing operators shall be responsible for teaching his students the *minimum content* of the curriculum set up by the Department for Schools of Beauty Culture—both in the practical and in the theoretical work.

To qualify for apprentice training in a beauty shop, the applicant shall apply to the Department to have his or her name registered with the Department and secure a permit upon the payment of a fee of one dollar (\$1.00) to practice as an apprentice; such permit shall be displayed in the shop where the apprentice is serving.

An apprentice permit shall be valid for a period of two years from the date of issuance.

Not later than the fifteenth day of each month the owner of a beauty shop employing an apprentice shall submit to the Board a report of the hours earned by each apprentice upon the form "Monthly Report of Apprentice Hours," provided by the Board for this purpose. Such report shall include names and license numbers of operators employed therein.

IX. Advanced Schools of Beauty Culture

A. Requirements for Licensure

1. *Preliminary Inspection:* Before completing application for licensing, each proposed school shall be inspected by a representative of the Board, for the purpose of determining:
 - a. Suitability of proposed location
 - b. Suitability of proposed rooms—including plumbing, ventilation, lighting and adequacy of floor space (basement rooms below ground level cannot be approved).
 - c. Approval of proposed layout.
 - d. Approval of proposed items of equipment.
 - e. Satisfactory evidence of proper provisions for duly licensed teachers.

2. *Second Inspection:*

An inspection shall be made by a representative of the Board after the equipment has been installed, before the school is permitted to begin operation.

3. *Equipment Requirements:*

The minimum requirements for a school of advanced beauty culture enrolling ten students or less shall consist at least of the following items of equipment:

- 3 shampoo basins with trays
- 10 mirrors and 10 chairs
- 8 maniquins
- 6 curling heaters (optional)
- 1 blackboard 4' x 4' or equivalent
- 1 linen cabinet
- 2 wet sterilizers 8" x 12"
- 4 dry sterilizers, lamp, or the equivalent
- 1 permanent wave machine (optional)
 - croquignole—2 complete sets of 32 each of rods, felts, spacers, and clamps (optional)
 - machineless—2 complete sets of 32 each of rods, clips, and felts (optional)
 - cold wave—4 sets each, consisting of 32 rods (optional)
- 8 sanitary receptacles
- 8 dryers
- 1 hair-cutting lamp
- 1 tablet armchair or usable table and chair for each student in theory class

In addition to the items of equipment listed above, the school shall have such supplies as wave-setting lotion, shampoo creams, hair dyes, cloth towels, paper towels, etc., as are essential for instruction; manicuring tables with proper lighting, and chairs for at least 5 students.

The proper placement of this equipment shall require at least 1,000 square feet of floor space—excluding office, cloakroom, and reception room space. In the event that the student enrollment of any school increases, additional space and equipment may be required by the Board.

The number of students taught in the advanced school of beauty culture at any time shall be limited to one for every fifteen square feet of space contained in said school, subject to the following limitations:

- (a) Space occupied by offices and lavatories shall not be counted in determining maximum number of students taught; and
- (b) Space allotted for teaching shall also include equipment.

B. Personnel Requirements

1. *Owner:* No school shall be licensed until the Board has had ample opportunity to verify sworn statements as to the actual ownership, and all other claims and representations set forth in the application. The Board reserves the right to deny school licensure to any applicant who fails to present satisfactory evidence of his or her business, professional, or personal integrity.

No school license shall hereafter be issued until the real owner files a statement with the board specifically designating the person who is authorized to accept service of legal notices and to transact all business negotiations in behalf of the school, including answers to citations for hearings and compliance in behalf of the school with rulings issued by the Board. This statement shall bear a facsimile signature of the individual so authorized.

2. *Supervision:* An owner may supervise his own school providing he possesses the following qualifications:
 - a. The holder of a teacher's license for at least two years.

- b. A verified record of two years of satisfactory experience in teaching and in the practice of a majority of branches of beauty culture in an established school or place of business.

Otherwise, he shall employ and place in charge of the actual operations of the school a responsible individual who possesses the above qualifications.

The school shall be, at all times, in charge of and under the immediate supervision of a duly licensed teacher:

3. *Teachers:* Each school shall meet the following requirements pertaining to teachers:
 - a. Each school shall employ as instructors only licensed teachers competent to impart instruction in the branches of beauty culture which they teach.
 - b. No individual shall be counted as a regular, part-time, or substitute teacher in any school unless his or her teacher's certificate and his or her renewal card is on display in said school.
 - c. Every school shall employ at least one full-time licensed teacher.
 - d. Each class taught shall consist of not more than ten students per teacher.
 - e. No teacher in a school of beauty culture shall devote any portion of his or her time to work in a beauty shop while the school is in session.
 - f. No manager of a beauty shop shall serve as a teacher in a school of beauty culture.
 - g. A certificate of registration of any teacher not employed in the school shall not be displayed in such school.
4. *Staff Physician:* Each school shall have attached to its staff a licensed and registered physician for consultation purposes.

C. Student Requirement

Enrollment: Whenever a student enrolls in any school of advanced beauty culture, he or she shall hold a teacher's, manager's or operator's license.

D. General Requirements

1. *Display of Sign:* Each school shall display in a conspicuous place in and about the entrance of said school a sign in display lettering at least one inch in height as follows: "All Work in This School Done by Students Only," and unless this sign also carries the words, "Charges for Materials Only," other signs bearing these words shall be conspicuously posted.
2. *Advertising:* Each school or shop shall advertise only under the designation of a school or shop. A school or shop shall not be so designated in any form of advertising as to mislead the public.

All beauty culture schools shall follow the practice of good ethics and refrain from price advertising.

Every beauty culture school shall display at its main entrance a sign clearly visible at all times indicating that it is a beauty culture school.

3. *Authorized Signature:* A registered school of beauty culture shall supply the Board with a facsimile signature on white paper of the individual or individuals authorized by the owner of the said school to sign all official certifications.
4. *Safety Precautions:* Those in charge of the school shall at all times be very vigilant in preventing accidents as well as infections. They shall, therefore, observe with special diligence the following precautions:
 - a. All electrical appliances shall be properly installed and grounded.
 - b. During permanent wave operation, the teacher shall never leave the student and the patron during the heating period, until the student has given her fifth permanent wave whence she may be left alone, provided the teacher stays within calling distance.
 - c. Cloth or paper bags shall never be used on dryers.
 - d. Rigid requirements for sanitation and sterilization shall be adhered to strictly.
 - e. Infectious or contagious disease of the skin shall never be treated or prescribed for by any licensee, but the owner or manager of the school shall refuse to service such person and shall inform her of the reason why.

5. *Service and Inspection:* Every school shall provide a suitable place properly equipped to give adequate instruction to students and subject to inspection at reasonable hours by the representatives of the Board.
6. *Beauty Baths:* Beauty baths and reducing treatments and advanced schools of Hair Design, shall not be included in the curriculum of beauty culture schools and shall not be given in beauty shops.

Note: The State Board of Medical Education and Licensure at its meeting held December 2 and 3, 1937, passed the following resolution relative to the use of Beauty Blankets in beauty parlors:

"That it is the opinion of the Board that the general use of so-called Beauty Blankets, which is in effect, a method of Diaphoresis, as used in Beauty Parlors may be done legally only by a licensed physician or a licensed physiotherapist."

7. *Demonstrations:* Any individual engaged in giving demonstrations of any beauty culture service shall be required to have an operator's license if the demonstrations are made in shops, before public gatherings, or to those who are already holders of beauty culture licenses.

Any individual engaged in giving demonstrations of any beauty culture service in any of the schools of this State shall be required to have a teacher's license.

8. *Fees:* The registration fee for an advanced hair styling school is \$100.00. The annual renewal fee for an advanced hair styling school is \$50.00.

E. Regulations Pertaining to Facilities and Equipment

Any such school hereafter established shall meet all the requirements for facilities now applicable to regularly licensed schools of beauty culture including all presently existing regulations regarding space requirements, general layout, entrance and exit, toilet facilities and other essential physical requirements.

1. *Personnel Requirements:* Any such school shall meet the same personnel requirements as are now required of licensed beauty schools especially as to qualifications of teachers and as to adequate supervision.
2. *Operation and Practices:*
 - a. Any such school shall limit its enrollment to individuals already licensed as operators, teachers or managers. It shall also comply with all requirements of law and Board regulations concerning sanitation practices.

- b. In the operation of such a school no recognition shall be given for any courses taken in determining qualifications of any student of the school for admission to any of the examinations now or hereafter given as basis for qualifying for licensure in any of the branches of beauty culture. It shall not, therefore, be required to maintain records of enrollment or to submit to the Board credit hours.
- c. Such a school shall not operate as a beauty shop providing any services normally provided in a licensed beauty shop.
- d. Any such school shall be open at all times for inspection by the Board or by regular investigators of the Division of Law Enforcement.
- e. Procedures for licensure and fees shall be the same as for other beauty culture schools.
- f. The Board reserves the right to deny school licensure to any applicant who fails to present satisfactory evidence of his or her business, professional or personal integrity.







